

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ABILITY INSURANCE COMPANY, Plaintiff, v. ST PAPER, LLC, Defendant.	Case No. 1:20-cv-03851-GBD
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DECLARATION OF JONATHAN T. SMIES

I, Jonathan T. Smies, declare under penalty of perjury and pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am one of the attorneys representing the Defendant ST Paper, LLC (“ST Paper”) in this matter. I make this declaration based on my own personal knowledge and my review of the file in this matter. Attached hereto as **Exhibit A** is a true and correct copy of Plaintiff’s Responses to Defendant’s Discovery Demands in this matter.

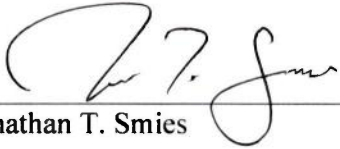
2. Plaintiff Ability Insurance Company produced 265 pages of documents on June 10, 2021 in response to ST Paper’s discovery requests in this matter. Included within these documents are the following:

- a. A Mortgage and Security Agreement dated December 10, 2013 between Green Box NA Green Bay, LLC and Maple Bridge Funding, LLC, attached as **Exhibit B** [AIC000091-AIC000106];
- b. An Absolute Assignment of Leases and Rents dated December 10, 2013 executed by Green Box NA Green Bay, LLC in favor of Maple Bridge Funding, LLC, attached as **Exhibit C** [AIC000068-AIC000080];

- c. An Assignment of Mortgage dated December 11, 2013 made by Maple Bridge Funding, LLC in favor of Ability Insurance Company, attached as **Exhibit D** [AIC000112-AIC000115];
- d. An Assignment of Collateral Security dated December 11, 2013 made by Maple Bridge Funding, LLC in favor of Ability Insurance Company, attached as **Exhibit E** [AIC000116-AIC000119];
- e. An Assignment of Rights dated December 11, 2013 executed by Green Box NA Green Bay, LLC in favor of Maple Bridge Funding, LLC, attached as **Exhibit F** [AIC000217-AIC000224];
- f. A Promissory Note dated December 10, 2013 made by Green Box NA Green Bay, LLC in favor of Maple Bridge Funding, LLC, attached as **Exhibit G** [AIC000226-AIC000231]; and
- g. An Allonge dated December 11, 2013, executed by Maple Bridge Funding, LLC, directing that payment on a note executed by Green Box NA Green Bay, LLC be made to Ability Insurance Company, attached as **Exhibit H** [AIC000225].

3. The 265 pages of documents produced by Ability on June 10, 2021 in response to ST Paper's discovery requests are attached as **Exhibit I**.

Dated this 16th day of August, 2021.


Jonathan T. Smies